

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	Mor et al.	EXAMINER:	Tran, T.
SERIAL NO.:	10/608,309	GROUP:	2821
FILED:	06/27/03	CASE NO.:	CM03279J
ENTITLED:	METHOD AND APPARATUS FOR CONTROLLING ILLUMINATION OF A DISPLAY IN A PORTABLE WIRELESS COMMUNICATION DEVICE		

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REPLY BRIEF UNDER 37 CFR 41.41

Mail Stop Appeal Brief - Patents
Commissioner of Patents
P.O. Box 1450
Alexandria, Va. 22313-1450

Commissioner:

The appellants hereby respectfully submit the following Reply Brief in response to a final Office Action dated September 7, 2005, a Notice of Appeal filed December 20, 2005, an Appeal Brief filed February 28, 2006, an Examiner's Answer dated April 18, 2006, a Reply Brief filed June 19, 2006, a Substitute Appeal Brief filed November 8, 2006, in response to a Notice of Non-Compliance of the Appeal Brief, and an Examiner's Answer dated January 24, 2007.

1. STATUS OF CLAIMS

Claims 1, 8, and 15 are rejected under 35 U.S.C. §102(b) as being anticipated by Lipp (U.S. Patent No. 5,398,022);

Claims 19-20 are allowed;

Claims 2-3, 5-7, 9-10, and 12-14 are objected as being dependent upon a rejected base claim but as being allowable if rewritten in independent form including the limitations of the base claim and any intervening claim;

Claims 4, 11, and 16-18 were previously cancelled;

Claim 15 is objected to as being of improper dependent form for failing to further limit the subject matter of claim 8; and

This appeal involves claims 1, 8, and 15.

Claim 1, as amended, provides a method for controlling an illumination of a display screen in portable wireless communication device. The method included illuminating the display screen, determining at least one illumination time parameter corresponding to a message displayed on the display screen, wherein the at least one illumination time parameter is based on at least one of a length of the message, a number of lines of the display screen required to display the message, and a type of message to be displayed, and maintaining the illumination of the display screen for a period of time that is based on the at least one illumination time parameter.

Claim 8, as amended, provides an apparatus for controlling illumination of a display screen in portable wireless communication device. The apparatus included a light source for providing illumination for a display screen and a processor coupled to the light source that couples power to the light source to illuminate the display screen, determines at least one illumination time parameter corresponding to a message displayed on the display screen, wherein the at least one illumination time parameter is based on at least one of a length of the message, a number of lines of the display screen required to display the message, and a type of message to be displayed, and maintains a

coupling of power to the light source for a period of time that is based on the at least one illumination time parameter.

Claim 15 teaches the apparatus of claim 8 further comprising the display screen.

2. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

The Examiner rejected claims 1, 8, and 15 under 35 U.S.C. §102(b) as being anticipated by Lipp (U.S. Patent No. 5,398,022). The Examiner objected to claim 15 as being of improper dependent form for failing to further limit the subject matter of a previous claim, that is, claim 8.

3. ARGUMENT

With respect to claim 1, in the Examiner's Answer the Examiner contended that Lipp teaches a determining of at least one illumination time parameter corresponding to a message displayed on the display screen, wherein the at least one illumination time parameter is based on a type of message to be displayed (via a microcomputer (40), col. 3, lines 14-17, lines 41-51, and lines 59-62; col. 5, lines 20-22; and col. 6, lines 40-61), and maintaining the illumination of the display screen for a period of time that is based on the at least one illumination time parameter (col. 3, lines 49-51 and 56-62; col. 5, lines 20-22).

Column 3, lines 14-17 merely teaches receiving a message by a pager that may be displayed in one segment or in multiple segments. Column 3, lines 41-51 merely teaches that the microcomputer illuminates the display screen in response to an actuation of a switch. That is, the "microcomputer 40 illuminates light 60 only if the actuation of switch 70 extends for more than a predetermined time period." As contended by the appellants in the Appeal Brief, all this teaches is that the user flips, or actuates, a switch (for example, by depressing a button), and the light turns on. The only time period taught here is how long the button must be depressed for the light to turn on, not how long the light subsequently stays on for. While Lipp also teaches that the light may then stay on for a pre-set period of time, nowhere does Lipp teach a dynamically determined illumination time period based a determination of at least one illumination time parameter corresponding to a message displayed on the display screen and based on a type of message to be displayed

Column 3, lines 56-62 merely teaches "the activation of light 60 is controlled exclusive by the pager user because this function is dependent on the time duration of switch activation." Again, this merely teaches that the user actuates a switch by depressing a button for longer than a predetermined time period.

Column 5, lines 20-22, teaches that if the user continues to actuate the switch, that is, depress the button, the message will continue to be displayed on the display screen "until the pager user releases the switch 70." First, this concerns display of the message,

not illumination of the display screen. Second, the display of the message directly corresponds to the user's continued depression of the button. Once the user releases the button, the display screen is cleared. In effect, the user flips a switch and then flips it back (by releasing the button). No illumination time parameter that is based on at least one of a length of the message, a number of lines of the display screen required to display the message, and a type of message to be displayed, is determined here. Finally, column 6, lines 40-61, teaches that a user can manually scroll to a next page of a message, or to a next message, by actuating a switch. Again, this concerns display of the message, not illumination of the display screen. And again, the user hits a button, thereby actuating a switch, and a next page or a next message is displayed. This does not teach any determination of the claimed illumination time parameter.

Therefore, none of the sections cited by the Examiner teach the features of claim 1 of determining at least one illumination time parameter corresponding to a message displayed on the display screen, wherein the at least one illumination time parameter is based on at least one of a length of the message, a number of lines of the display screen required to display the message, and a type of message to be displayed, and maintaining the illumination of the display screen for a period of time that is based on the at least one illumination time parameter. Accordingly, the appellants respectfully submit that claim 1 is not unpatentable over the prior art of record.

Since claims 2-3 and 5-7 depend directly or indirectly from independent claim 1, the appellants respectfully submit that claims 2-3 and 5-7 are not unpatentable over the prior art of record.

Claim 8 teaches a processor that determines at least one illumination time parameter corresponding to a message displayed on the display screen, wherein the at least one illumination time parameter is based on at least one of a length of the message, a number of lines of the display screen required to display the message, and a type of message to be displayed, and maintains a coupling of power to the light source for a period of time that is based on the at least one illumination time parameter. As noted above, nowhere is such a processor and such functionality taught by Lipp. Accordingly,

the appellants respectfully submit that claim 8 is not unpatentable over the prior art of record.

Since claims 9-10 and 12-14 depend directly or indirectly from independent claim 8, the appellants respectfully submit that claims 9-10 and 12-14 are not unpatentable over the prior art of record.

4. CONCLUSION

For the above reasons and for the reasons described in the appellants' Appeal Brief, the appellants respectfully submit that the rejection of claims 1, 8, and 15 under 35 U.S.C. §102(c) as being unpatentable over Lipp and the objection to claim 15 as failing to further limit the subject matter of claim 8 are in error and should be reversed and the claims allowed.

Respectfully submitted,
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